

# INSTRUCTIONS FOR FILING A CHANGE OF NAME FOR AN INDIVIDUAL 70 YEARS OF AGE OR OLDER

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

## GENERAL INFORMATION BEFORE YOU FILE YOUR PETITION

- ◆ These instructions only apply to a person who is at least 70 years of age, has not been convicted of a felony or adjudicated as a juvenile delinquent for an offense that would constitute a felony if committed by an adult in any state or under federal law, and is seeking a name change to harmonize name discrepancies necessary to be issued an identification card in Colorado.
- ◆ The Petition shall be filed in county court or district court in the county in which the person seeking a name change is a resident.
- ◆ The Court will not consider a Petition for a name change unless the following occurs:
  - ✓ A FBI and CBI fingerprint-based criminal history record check is conducted within 90 days prior to the filing of the Petition. If the fingerprint-based record checks were inconclusive because the fingerprints were unreadable or not discernable, a name-based criminal history record check conducted by the CBI shall be submitted to the Court.
- ◆ For additional information, please review Colorado Revised Statutes §§13-15-101-102, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:  
[http://www.courts.state.co.us/Administration/HR/ADA/Coordinator\\_List.cfm](http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm)

## COMMON TERMS

- Petition: Document officially commences the Change of Name process.
- Petitioner: The person filing a Petition for Change of Name.
- May: In legal terms, "may" is defined as "optional" or "can."
- Shall: In legal terms, "shall" is defined as "required."

**If you do not understand this information, please contact an attorney.**

## FEES

The filing fee is \$ 100.00. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the filing fee.

Fees that a party to the case may encounter are as follows:

- Copies of Documents (Documents on File) \$ .75 per page or \$1.50 if double-sided
- Copies of Documents (Documents not on File) \$ .25 per page or \$.50 if double-sided
- Cost of Fingerprints Varies (Payable to local law enforcement)
- Criminal History Check - CBI (Payable to CBI by Cash, Money Order or by Credit Card.) [www.colorado.gov/cbi](http://www.colorado.gov/cbi)
- FBI Fingerprint-based Criminal History Check (Payable to Treasury of the United States by Money Order, Certified Check, or Credit Card)

## FORMS

To access forms online, go to the website at [www.courts.state.co.us](http://www.courts.state.co.us) and **click on the Self Help/Forms tab**. You may complete a form online and print or you may print it and type or print legibly in black ink.

- JDF 389 Petition for Change of Name (70 Years of Age or Older)
- JDF 387 Final Decree for Change of Name to Obtain Identity-Related Documents

## STEPS TO FILING YOUR CASE

### Step 1: Complete required fingerprint-based criminal history checks.

The Petitioner must submit a criminal history check from the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI) at the time the "Petition for Change of Name (70 Years of Age or Older)" is filed. Please follow these steps:

- Contact your local law enforcement office to be fingerprinted. The Court may provide you with two fingerprint cards, or, in the event that your local court does not provide them, your local sheriff's department should. You will see a box labeled "Reason Fingerprinted" on the card in the upper left hand corner. Complete that box with the following: "**§13-15-101 Name Change to Obtain Legal Documents.**" It is important that the CBI and FBI know that the criminal history check is for a legal name change. Please write your name, home address, and date of birth clearly on the fingerprint card. If the agency completing the fingerprints uses an electronic print system, please do not write on the cards as the agency will automatically input the information.
- You are responsible for mailing or hand-delivering the completed fingerprint cards to the CBI and the FBI. Allow up to 13-15 weeks to process the criminal history check from the FBI. It can take 4 weeks to receive your criminal history check back from the CBI. **The criminal history results must be conducted within 90 days prior to the filing of the Petition.** For this reason, it is best to mail your FBI fingerprint card, wait 7 - 9 weeks, and then mail or hand-deliver your CBI fingerprint card. You will be provided with a full report from both agencies.
- The FBI requires an applicant information form to be submitted along with the fingerprint card. This form, along with additional information on FBI requests, can be obtained at the following link: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>
- Mail the completed fingerprint card and applicant information form to the FBI at CJIS Division, 1000 Custer Hollow Road, Clarksburg, WV 26306 along with a certified check or money order. **Do not fold the fingerprint card.**
- Mail or hand-deliver your completed CBI fingerprint card to the CBI at 690 Kipling, Denver, Colorado 80215 along with a money order. **Do not fold the fingerprint card.** If you hand-deliver the fingerprint card, you can also pay by cash.
- If you have a felony conviction recorded in Colorado or any other state, and you know that it is inaccurate, it is your responsibility to obtain the disposition information from the Court where such action occurred as identified in the CBI and FBI reports.
- You are also responsible for providing certified copies of any criminal dispositions that are not reflected in the Colorado Bureau of Investigations or Federal Bureau of Investigation records and any other dispositions which are unknown, by contacting the agency where such actions occurred.

### Step 2: Complete appropriate forms.

- Petition for Change of Name (70 Years of Age or Older) (JDF 389).**
  - Complete all sections of this form.

- Insert your full legal name and proposed name change as identified in the caption below.
- Attach the fingerprint-based FBI criminal history record check to the Petition as Exhibit A and the fingerprint-based criminal history record check from the CBI as Exhibit B. If the fingerprint-based record checks were inconclusive because the fingerprints were unreadable or not discernable, a name-based criminal history record check conducted by the CBI shall be submitted to the Court along with the CBI/FBI notices indicating that a fingerprint-based check was not possible. **Make sure that the fingerprint-based criminal history record checks are conducted within 90 days prior to the filing of the Petition.**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court _____ County, Colorado Court Address: _____ In the Matter of the Petition of: _____ For a Change of Name to: Attorney or Party Without Attorney (Name and Address): _____ Phone Number:                      E-mail: FAX Number:                         Atty. Reg. #:	▲ <b>COURT USE ONLY</b> ▲
Case Number: _____ Division                      Courtroom _____	<b>PETITION FOR CHANGE OF NAME (70 YEARS OF AGE OR OLDER)</b>

- Final Decree for Change of Name to Obtain Identity-Related Documents (JDF 387).**
  - Complete caption only.
  - The Judge or Magistrate will sign the Final Decree.

**Step 3:        File your Documents with the Court.**

- Provide the Court with the documents completed as described in Steps 1 - 2 above and pay the \$100.00 filing fee.
- The Court may require a self-addressed stamped envelope.

**Step 4:        Obtain a signed copy of the Final Decree for Change of Name to Obtain Identity-Related Documents from the Court.**

- You will need a certified copy of the Final Decree to provide to the Department of Revenue for it to issue a driver's license or identification card in your new name.
- The Court will provide you certified copies at no cost.

**Note:** If you own property, you should record the Final Decree for Change of Name with the Clerk and Recorder's Office in the county where the property is recorded to reflect the new name on the property records.

- Check with the Clerk and Recorder's Office for the fee to record the name change, office hours, if the information can be submitted by mail or in person, etc.